

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

BISSELL HOMECARE, INC.,)	Case No. 1:08-cv-724
)	
Plaintiff,)	
)	
v.)	Hon. Robert J. Jonker
)	
DYSON, INC.,)	DYSON UNIT
)	
Defendant.)	

**DYSON, INC.’S REPLY BRIEF IN SUPPORT OF ITS MOTION FOR ISSUANCE OF
LETTER ROGATORY AND LEAVE TO DEPOSE
FOREIGN WITNESSES IN CANADA**

Pursuant to the Court’s Order dated May 19, 2010, Dyson, Inc. (“Dyson”) files this reply to Plaintiff BISSELL Homecare, Inc.’s (“Plaintiff”) Response to Defendant’s Motion for a Letter Rogatory.

Dyson’s motion, filed on May 13, 2010, requested that this Court issue the Letter Rogatory attached thereto as Exhibit A and grant Dyson leave to obtain document discovery from the law firm of Bereskin & Parr LLP (“Bereskin & Parr”) and from Wayne Ernest Conrad, as well as deposition testimony from Philip Mendes da Costa of Bereskin & Parr and Mr. Conrad. Plaintiff does not oppose the motion.

With respect to the points Plaintiff raises in its response brief, Dyson responds as follows:

1. To the extent that Plaintiff seeks the opportunity to examine Messrs. Mendes da Costa and Conrad at any deposition(s) that may occur, Dyson does not object. Dyson further agrees to provide Plaintiff with copies of any documents produced by Messrs. Mendes da Costa and Conrad.

2. Dyson does not object to Plaintiff's request that the Court include a third request for production in any Letter Rogatory that it issues.

WHEREFORE, Defendant Dyson, Inc. respectfully requests that the Court execute the Letter Rogatory attached to its opening brief as Exhibit A thereto, together with an exemplification certificate, and grant it leave to obtain discovery from Bereskin & Parr, Philip C. Mendes da Costa and Wayne Ernest Conrad.

Respectfully Submitted,

/s/Richard A. Gaffin

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